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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/807,662	07/13/2001	Klaus Titzschkau	14506	2238

7590 06/28/2002

Scully Scott Murphy & Presser
400 Garden City Plaza
Garden City, NY 11530

EXAMINER

RAJGURU, UMAKANT K

ART UNIT	PAPER NUMBER
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1711

8

DATE MAILED: 06/28/2002

#8

Please find below and/or attached an Office communication concerning this application or proceeding.

MF8

Office Action Summary

Application No.

Applicant(s)

Examiner

Group Art Unit

—The MAILING DATE of this communication appears on the cover sheet beneath the correspondence address—

Period for Response

A SHORTENED STATUTORY PERIOD FOR RESPONSE IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a response be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for response specified above is less than thirty (30) days, a response within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for response is specified above, such period shall, by default, expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to respond within the set or extended period for response will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).

Status

- ☒ Responsive to communication(s) filed on Mar 19, 2002 (paper no 7)
- ☒ This action is FINAL.
- ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11; 453 O.G. 213.

Disposition of Claims

- ☒ Claim(s) 2-8 and 10-13 is/are pending in the application.
- Of the above claim(s) _____ is/are withdrawn from consideration.
- ☐ Claim(s) _____ is/are allowed.
- ☒ Claim(s) 2-8 and 10-13 is/are rejected.
- ☐ Claim(s) _____ is/are objected to.
- ☐ Claim(s) _____ are subject to restriction or election requirement.

Application Papers

- ☐ See the attached Notice of Draftsperson's Patent Drawing Review, PTO-948.
- ☐ The proposed drawing correction, filed on _____ is ☐ approved ☐ disapproved.
- ☐ The drawing(s) filed on _____ is/are objected to by the Examiner.
- ☐ The specification is objected to by the Examiner.
- ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. § 119 (a)-(d)

- ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d).
- ☐ All ☐ Some* ☐ None of the CERTIFIED copies of the priority documents have been received.
- ☐ received in Application No. (Series Code/Serial Number) _____.
- ☐ received in this national stage application from the International Bureau (PCT Rule 1.7.2(a)).

*Certified copies not received: _____

Attachment(s)

- ☐ Information Disclosure Statement(s), PTO-1449, Paper No(s) _____
- ☐ Interview Summary, PTO-413
- ☐ Notice of References Cited, PTO-892
- ☐ Notice of Informal Patent Application, PTO-152
- ☐ Notice of Draftsperson's Patent Drawing Review, PTO-948
- ☐ Other _____

Office Action Summary

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1. An amendment (Paper No. 7) has been filed on March 19, 2002.
2. Claims now under examination are 2-8 and 10-13.
3. Objection to claims 4-6 and 10 (see item 3 of Office action, Paper No. 6) is now withdrawn.

4. Rejection of claim 3 (see item 4 of same Office action) is now withdrawn.

5. Claims 2-6, 8, 10 and 11 are objected to because of the following informalities:

These claims are dependent claims. Therefore each of them should start with 'The' (not 'A').

Appropriate correction is required.

6. The following is a quotation of the first paragraph of 35 U.S.C. 112:

The specification shall contain a written description of the invention, and of the manner and process of making and using it, in such full, clear, concise, and exact terms as to enable any person skilled in the art to which it pertains, or with which it is most nearly connected, to make and use the same and shall set forth the best mode contemplated by the inventor of carrying out his invention.

Claim 12 is rejected under 35 U.S.C. 112, first paragraph, as containing subject matter which was not described in the specification in such a way as to reasonably convey to one skilled in the relevant art that the inventor(s), at the time the application was filed, had possession of the claimed invention.

There is no support for the limitation "an aromatic epoxy oligomer or polymer" (lines 5 and 6) recited in this claim.

Applicant has failed to indicate portion of specification that supports this limitation.

*withdrawn
May 16, 2003*

*done
05.16.2003*

*not
05.16.03*

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7. The text of those sections of Title 35, U.S. Code not included in this action can be found in a prior Office action.

8. Claims 2-8, 10, 12 and 13 are rejected under 35 U.S.C. 103(a) as being unpatentable over Gijsman P. (EP 390277).

9. Claims 2, 3, 7 and 9 are rejected under 35 U.S.C. 102(b) as being anticipated by Gijsman P (EP390277).

10. Claim 11 is rejected under 35 U.S.C. 103(a) as being unpatentable over Gijsman P (EP 390277) as applied to claim 7 above, and further in view of Rody et al (USP 4299926).

These rejections are referred to, as presented in earlier Office action, (Paper No. 6).

11. Applicant's arguments filed March 19, 2002 (Paper No. 7) have been fully considered but they are not persuasive.

Examiner disagrees with the applicant who states on page 6 of above response, that "Gijsman composition is clearly limited to polyamide 4, 6", because Gijsman on page 2, lines 50-52, clarifies that its polyamide is not exclusively polyamide 4-6.

Applicants' argument (page 7) that "disclosure of Gijsman is totally outside of scope of claims 12, 2-6 and 10" is not true and therefore not persuasive.

On page 10, the applicants' argument that "the teaching that an organic phosphite -----substituted for the polyalkylpiperidine" is not persuasive because there is no data in support of this argument which is just a statement. Additionally the

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examiner's position is that light stabilizer of Rody can possess some thermal stabilizing property also.

Applicant's argument against the anticipation rejection are also not persuasive .

12. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the mailing date of this final action.

13. Any inquiry concerning this communication from the examiner should be directed to U.K. Rajguru whose telephone number is 703-308-3224. The examiner can generally be reached on Monday-Friday 9:30 am-6:00 pm.

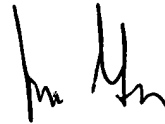
If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, James Seidleck can be reached on 703-308-2462. The fax phone numbers for the organization where this application or proceeding is assigned are 703-872-9310 for regular communications and 703-872-9311 for After Final communications.

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Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-308-0661.



U.K. Rajguru/dh
June 24, 2002



James J. Seidleck
Supervisory Patent Examiner
Technology Center 1700